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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALBERTO VILLESICAS,  
Plaintiff,  
v.  
RAFAEL MIRANDA, et al.,  
Defendants.

No. 2: 15-cv-1861 TLN KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is defendant Miranda’s motion to modify the scheduling order.

On January 13, 2016, defendant Miranda filed an answer. (ECF No. 35.) On January 28, 2016, the other seven defendants, represented by separate counsel, filed a motion to dismiss. (ECF No. 39.) On February 3, 2016, the court issued a scheduling order, setting discovery and dispositive motion cut-off dates. (ECF No. 40.)

In the pending motion, defendant Miranda requests that the scheduling order be modified to stay discovery and to vacate the dispositive motion filing deadline until such time as the motion to dismiss has been decided. Defendant Miranda contends that it would conserve resources and permit plaintiff to be deposed only once if discovery is stayed until the motion to dismiss is decided.

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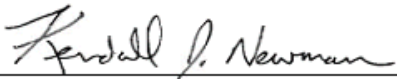
Good cause appearing, the motion to modify the scheduling order is granted.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant Miranda’s motion to modify the scheduling order (ECF No. 43) is granted;
2. Discovery is stayed and the September 9, 2016 dispositive motion deadline is vacated;

the discovery and dispositive motion deadlines will be reset following resolution of the pending motion to dismiss.

Dated: April 28, 2016

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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